

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-vs-

Case No. 05-74891
Hon: AVERN COHN

ENVISIONTEC, INC., ENVISIONTEC
GMBH; and SIBCO, INC.,

Defendants.

**APPOINTMENT AND ORDER OF
REFERENCE TO SPECIAL MASTER**

This is a patent case. Currently pending before the Court are:

1. Motions for Summary Judgment by each of the parties;
2. Order on Defendants' Motion For Reconsideration And Clarification Of Order

Granting Motion To Disqualify Co-Inventor Dr. Paul Jacobs As Defendants' Expert.

Because of the complexity of the subject matter of each of the motions, IT IS
ORDERED that:

1. Robert Neuner, Esq. of New York City is appointed as Special Master to report upon and recommend in writing the appropriate disposition of each of the motions for summary judgment as well as a recommendation on whether or not defendant's expert, Dr. Paul Jacobs, should be disqualified either at this phase of the case or at trial or both.
2. If the Special Master recommends denial of either or both motions for summary judgment, he shall clearly specify what are the genuine issues of

material fact that require trial.

3. The parties shall forward to the Special Master such of the papers relating to each of the motions as they each believe appropriate to his task. The Court has forwarded to the Special Master the papers listed in Exhibit A attached.

4. The Special Master shall confer with the parties to arrange a schedule for briefing and other matters.

5. Copies of papers filed with the Special Master shall also be filed simultaneously with the Clerk of the Court and served pursuant to applicable federal rules and a copy shall be simultaneously sent to the Court. Forwarding letters or informal communications need not be filed, but shall be served on the opposite party.

6. The Special Master may conduct meetings at a location(s) to be agreed upon by the parties and the Special Master. Any hearing by the Special Master shall be conducted in the Theodore Levin United States Court in Detroit.

7. A petition for review by the Court of the recommendations of the Special Master shall be submitted in writing within ten (10) days of receipt of the Special Master's report. Review of the recommendations of the Special Master by the Court shall be governed by 28 U.S.C. § 636(b)(1)(B) and (C).

8. The Special Master may use law clerks or paralegals at his discretion and shall keep detailed records of his time and expenses. The Special Master shall render detailed monthly bills for all fees and expenses at the

same rates ordinarily charged clients for his services, and such bills shall be paid promptly as follows: fifty percent (50%) by plaintiff and fifty percent (50%) by defendant. The monthly bills shall be submitted directly to counsel for the parties who shall take responsibility for prompt payment by their respective clients.

9. Objections, if any, to this order shall be filed within seven (7) days.

SO ORDERED.

Dated: November 6, 2008

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, November 6, 2008, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160